

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Criminal Action No.
24-00036-01-CR-W-DGK

DANIEL E. LABLANCE

Defendant.

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

The following matters were discussed and action taken during the pretrial conference:

PENDING CHARGE: Count I: Felon in possession of a firearm *in violation of* 18 U.S.C. §§ 922(g)(1) and 924(a)(8)

TRIAL COUNSEL:

Government: Bradley Kavanaugh, Brandon Gibson and paralegal Geoffrey Gorup
Case Agent: Special agent Derrick Garth
Defense: Steve Moss

OUTSTANDING MOTIONS:

Doc. 34: Notice of filing Government's Notice of Expert Witnesses by USA.

Doc. 35: Notice of filing Government's Notice of Intent to Offer Prior Convictions Pursuant to Federal Rule of Evidence 404(b).

Doc. 36: Notice of filing Government's Rule 609 Notice.

Doc. 37: Notice of filing Government's Rule 902 Notice of Intent to Introduce Certified and Self-Authenticating Records.

Doc. 38: Proposed Witness List by USA.

Doc. 39: Proposed Jury Instructions by USA.

Doc. 40: Proposed Voir Dire by USA.

Doc. 41: Amended Proposed Witness List by USA.

Doc. 42: Proposed Exhibit List by USA.

ANTICIPATED MOTIONS: None

TRIAL WITNESSES:

Government: 8-10 with stipulations; 10-12 without stipulations

Defense: 1 witness, including Defendant who ☐ will
☒ may
☐ will not testify

TRIAL EXHIBITS:

Government: 29 exhibits

Defense: No additional exhibits

DEFENSES:

☒ defense of general denial

☐ defenses of general denial and _____

POSSIBLE DISPOSITION:

☐ Definitely for trial

☒ Possibly for trial

☐ Motion to continue to be filed

☐ Likely a plea will be worked out

TRIAL TIME: 2.5 days

Government's case including jury selection: 2 days

Defense case: .5 day

STIPULATIONS:

☐ not likely

☐ not appropriate

☒ likely as to:

☒ chain of custody

☐ chemist's reports

☒ prior felony conviction

☒ interstate nexus of firearm

☐ other: _____

UNUSUAL QUESTIONS OF LAW: None

FILING DEADLINES:

Witness and Exhibit Lists: December 23, 2024

Government: December 23, 2024

Defense: December 23, 2024

Counsel are requested to list witnesses in alphabetical order on their witness list.

Exhibit Index, Voir Dire, Jury Instructions: December 23, 2024

Jury instructions must comply with Local Rule 51.1

Motions in Limine: December 23, 2024

TRIAL SETTING: Criminal jury trial docket commencing 1/6/2025

Please note: The Government requests the first week of the trial docket, as an essential witness is expected to give birth to her first child during the second week of the trial docket. Defense counsel, however, requests the second week of the trial docket, specifically that trial begins on Monday, January 13, 2025, as he is serving as second chair in *United States v. Aaron D. Copes*, Case No. 23-00130-01-CR-W-RK, which he anticipates will be scheduled for the first week of the docket. Furthermore, Defense counsel has a long-scheduled major surgery set for January 15, 2025.

OTHER:

() A _____-speaking interpreter is required.

() Other assistive devices: _____

IT IS SO ORDERED.

/s/ Jill A. Morris
JILL A. MORRIS
United States Magistrate Judge